

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF OKLAHOMA**

OSCAR HENRY BRANHAM,)
)
)
Petitioner,)
)
)
v.) **No. CIV 15-365-Raw-Kew**
)
)
KEN KLINGER, Warden,)
)
)
Respondent.)

OPINION AND ORDER

Petitioner filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 on August 6, 2015, requesting restoration of earned credits that were revoked following his prison disciplinary hearing (Dkt. 1). The respondent filed an answer to the petition on July 6, 2016, alleging the petition should be denied and that Petitioner had been released from custody (Dkt. 19). On July 18, 2016, mail sent to Petitioner by the Court was returned, marked “Return to Sender, Vacant, Unable to Forward” (Dkt. 20). Petitioner has not advised the Court of his current address, as required by the Court’s local rule:

All papers shall contain the name, mailing address, daytime telephone number, fax number, and e-mail address, if any, of the attorney or pro se litigant. If any of this information changes, the attorney or pro se litigant must notify the Court by filing the form provided by the Clerk and serving a copy on opposing counsel or pro se parties. . . .”

Local Civil Rule 5.6(a).

Because Petitioner has failed to comply with Local Civil Rule 5.6(a), this action is dismissed without prejudice for failure to prosecute. *See United States ex rel. Geminis v.*

Health Net, Inc., 400 F.3d 853, 854-56 (10th Cir. 2005) (dismissing appeal sua sponte for failure to prosecute because appellant disappeared and failed to meet court deadlines).

ACCORDINGLY, this action is, in all respects, DISMISSED WITHOUT PREJUDICE for failure to prosecute.

IT IS SO ORDERED this 9th day of May 2017.



Ronald A. White
United States District Judge
Eastern District of Oklahoma

Dated this 9th day of May, 2017.